

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-
defendant

v.

APPLE INC.,

Defendant,
Counterclaimant.

Case No. 4:19-cv-03074-YGR

**[PROPOSED] ORDER RE: DEFENDANT
APPLE INC.'S ADMINISTRATIVE
MOTION TO PARTIALLY SEAL
PORTIONS OF THE PARTIES' TRIAL
EXHIBITS AND LIVE TRIAL TESTIMONY
RELATED THERETO**

Defendant Apple Inc. has filed an Administrative Motion to Partially Seal Portions of the Parties' Trial Exhibits and Live Trial Testimony Related Thereto (the "Motion"). In support, Defendant Apple Inc. ("Apple") filed the supporting declaration of Rachel S. Brass.

Having considered the Motion, all associated declarations, exhibits, and any argument of counsel, and for good cause appearing:

IT IS HEREBY ORDERED that the Motion is **GRANTED**. Accordingly:

- (1) To the extent the documents sought to be sealed by the Motion are introduced into evidence at trial, those documents shall remain under seal, for reasons articulated in the table below;
- (2) the Court shall temporarily limit public access to the trial proceedings to those present live in the courtroom while sealable information related to trial exhibits is being discussed; and
- (3) portions of the transcript related to such sealable information are additionally ordered sealed.

Trial Exhibit No.	Reason for Sealing and Evidence Offered in Support	Grant or Deny
Cragg Direct Demonstrative	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
DX-3122	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
DX-3174	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
DX-3248	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-3465	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
DX-4089	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
DX-4094	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16. Contains non-public financial information that, if	

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	disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8. Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4170	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16. Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4199	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
DX-4312	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
DX-4495	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
DX-4760	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4793	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4794	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4795	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4796	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4797	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	

Trial Exhibit No.	Reason for Sealing and Evidence Offered in Support	Grant or Deny
DX-4800	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4807	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
DX-4809	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
DX-4815	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
DX-5338	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PDX-0041	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0432	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0526	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12. Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-0602	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0603	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0604	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0605	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0606	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0607	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	

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PX-0608	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0609	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0610	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0611	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0612	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-0747	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16. Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-1000	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-1001	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-1003	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-1026	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16. Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-1036	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-1049	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-1050	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	

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PX-1066	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8. Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-1077	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-2126	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-2142	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12.	
PX-2176	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-2326	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-2328	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-2385	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-2391	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-2392	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	

IT IS SO ORDERED.

1 DATED: _____, 2021
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5 The Honorable Yvonne Gonzalez Rogers
6 United States District Judge
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